

Grisier, Mary


From: Cooper.Pam@epamail.epa.gov
Sent: Wednesday, December 21, 2011 1:03 PM
To: Lee.Bill@epamail.epa.gov
Subject: Re: Fw: Tony Tan Law, TM Farm LLC

My job is to ask questions....

We may pay for a translator thru grant.

pc


Pamela Cooper, Manager
Pesticides Office
USEPA - Region 9
415.947.4217

 Bill Lee---12/21/2011 12:11:35 PM---We don't have anything at this point. HI is investigating. I've heard no mention that they are int

From: Bill Lee/R9/USEPA/US
To: Pam Cooper/R9/USEPA/US@EPA
Date: 12/21/2011 12:11 PM
Subject: Re: Fw: Tony Tan Law, TM Farm LLC

We don't have anything at this point. HI is investigating. I've heard no mention that they are intending on referring it. I asked them if they were going to get an translator. I don't exactly know what you mean by "we send one." They can get their own can't they?

Stop asking so many questions.


 Pam Cooper---12/21/2011 12:05:03 PM---So, do we have enough for a case ? Is HI going to take it...or refer it to us. Initial report doe

From: Pam Cooper/R9/USEPA/US
To: Bill Lee/R9/USEPA/US@EPA
Date: 12/21/2011 12:05 PM
Subject: Re: Fw: Tony Tan Law, TM Farm LLC

So, do we have enough for a case ? Is HI going to take it...or refer it to us. Initial report doesn't seem to give us much. Can we send a translator out there with him ?

pc

Pamela Cooper, Manager
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 Bill Lee---12/21/2011 07:21:19 AM---Just keeping you in the loop. ----- Forwarded by Bill Lee/R9/USEPA/US on 12/21/2011 07:21 AM -----

From: Bill Lee/R9/USEPA/US
To: Pam Cooper/R9/USEPA/US@EPA
Date: 12/21/2011 07:21 AM
Subject: Fw: Tony Tan Law, TM Farm LLC

Just keeping you in the loop.

----- Forwarded by Bill Lee/R9/USEPA/US on 12/21/2011 07:21 AM -----

From: Mary Grisier/R9/USEPA/US
To: Julie Jordan/R9/USEPA/US@EPA, Bill Lee@epa.gov
Date: 12/21/2011 06:53 AM
Subject: Fw: Tony Tan Law, TM Farm LLC

Steve's preliminary report

Mary Grisier, Pesticides Program
US Environmental Protection Agency, Region IX
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Visit <http://www.epa.gov/pesticides>

-----Forwarded by Mary Grisier/R9/USEPA/US on 12/21/2011 06:53AM -----

To: Glenn.S.Sahara@hawaii.gov, Thomas.K.Matsuda@hawaii.gov, Avis.S.Onaga@hawaii.gov
From: Steve.Russo@hawaii.gov
Date: 12/20/2011 05:11PM
Cc: Mary Grisier/R9/USEPA/US@EPA
Subject: Tony Tan Law, TM Farm LLC

Ok, I've just returned from inspecting the farm. The farm is 30 acres growing banana, betel leaf, curry leaf, squash, tomato, lemon grass and eggplant.
Suspected violations: WPS: No CNS, no training for workers, pesticide application sign posted (without application), No emergency medical contact on his poster. The most recent application was on 11/27/11. I interviewed two workers on site. According to the workers and Law, these two were his wife's cousins..though Law had to ask their names as he didn't know either their first or last names. The workers said they had been there since September but were going to return to Laos soon. Law "didn't know" the names of any of the hire as needed workers who just "show up" at his farm..the farm in the middle of nowhere.

There were also issues with the RUP records: No application name & cert #, % AI, target pest, total area treated, formulation type, retention length (not 2 years worth of record) and most of the RUPs purchased in the last two years were not accounted for (either by physical presence or by records). His records extended all the way back to October 2011.

Tony Law wrote and signed an Attestation which says (quote):

"KhamFahn & Alay they my friends and didn't work for me, Alay just want a place to sleep. No work got injure from pesticide."

He said that Alay did live on the farm, but was not an employee and didn't do any work. According to him, Alay suffered from a stroke unrelated to pesticides. He provided a phone number, which he said was Alay's, but he also said that Alay had returned to Laos a week or two ago. He gave a phone # of :856205431842..I have no idea of this is a real phone number or not.

I saw the email from Bronstien..at this point the only people I've talked to that claim that there was a pesticide related injury is Kathryn Xian (Pacific Alliance to Prevent Slavery) and Jim Dooley (Hawaii Reporter).

I will be on vacation starting at 3:15pm today. If any questions regarding this situation come up before I return, please email me at stevearusso@yahoo.com (personal email). I'll be back at work on 01/03/11. I will be spending a few days when I return writing up files, I'll take care of this one first. I'll focus the rest of January on Ag inspections in that area, including a few follow-ups from the last two years.

Steve Russo

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